

NATURAL AREAS ADVISORY COUNCIL MEETING

September 18, 2012
Environmental Laboratory
Richards & Robbins Building
Dover, DE 19901
9:00 a.m.

ATTENDANCE

Council Members:

John Williams, Chair
David Athey
Debbie Heaton
Dean Holden
James White, Jr.

Guests:

Staff:

Rich Phifer, Fish & Wildlife, DNREC
Eileen Butler, Parks & Recreation, DNREC
Ron Vickers, Parks & Recreation, DNREC
Rose Ryödi (support), Parks & Recreation, DNREC

I. Call to Order/Announcements

Mr. Williams, Chairperson, called the Natural Areas Advisory Council meeting to order at 9:15 a.m. He welcomed Council members, and staff and asked for announcements. Eileen Butler introduced Rich Phifer, Land Preservation Specialist for the State Division of Fish & Wildlife.

II. Approval of Minutes of Meeting

Mr. Williams asked for a motion to approve minutes of the June 5, 2012 meeting, Mr. Athey seconded. Motion carried.

III. Old Business

- *Nature Preserve Management Guidelines*

Ms. Butler presented a draft of the Nature Preserve Management Guidelines. Council had asked to review the document to ensure dedication language was consistent to the extent possible because preceding dedications had similar but inconsistent language.

Ms. Heaton said consistency would be beneficial because of staff turnover, due mainly to retirement. "It would behoove DNREC to have information documented with standardized guidelines."

Ms. Heaton made further changes/additions to the draft Guidelines. Ms. Butler will include changes into the main document and email to Council for further review.

- *Flow Chart for Open Space Process*

Ms. Butler circulated a self-explanatory chart similar to the Open Space Program Guidelines. Ms. Heaton had asked what system Open Space Council uses to determine what types of parcels are accepted and/or rejected for acquisition.

Mr. Williams asked in what way this chart would affect the Natural Areas Advisory

Council process. It does not, Ms. Butler said. Only when lands protected through the Open Space program and dedicated as a Nature Preserve, would this affect this council to approve documents.

Mr. Williams then informed Council that at the State Parks Council meeting, an update on Open Space Council projects was presented. Overall total acquisitions for the Open Space program, from July 1990 through June 2012 is 340 projects totaling 52,900 acres with total funding of \$242.5million, plus from other funding sources of \$73.5million, for a grand total of \$316million.

IV. Natural Areas Registry

- *Christina River Natural Area; Christiana Mall Expansion*

A small insignificant portion of the Christina River Natural Area will be removed from the Natural Areas Map. Landowners wish to expand the Christiana Mall. The Council reviewed the Natural Area changes. Ms. Butler will update the Natural Areas Map on that portion of the Christina River Natural Area once development is complete.

V. Nature Preserve Dedications

- *Angola Neck Nature Preserve, Camp Arrowhead Lands*

The Angola Neck Nature Preserve is to the north and the south of Camp Arrowhead. The Camp is donating a portion of its wetlands to the state and placing a conservation easement on the remaining portion of its property, thus limiting development. The donated wetlands will be added to the Angola Neck Nature Preserve.

VI. Nature Preserve Management Issues - No issues discussed

VII. New Business

- Great Marsh Natural Area - Sussex County
- White Clay Creek Natural Area - New Castle County
- Cape Henlopen Natural Area - Sussex County

Ms. Butler said the State intends to draft language to dedicate the Natural Areas identified above as future nature preserves.

- *Absolving DNREC Secretary from signing off on small Natural Area parcels:*

Ms. Butler said NAAC's *Regulatory Process* requires the Secretary's signature when listing or delisting all applications. She asked Council's permission to waive Secretary O'Mara's approval/signature on small natural areas. Ms. Butler suggested removing the requirement for Secretary O'Mara's signature on areas 10 acres or less.

Ms. Heaton asked was it not the Council's responsibility to advise the Secretary. Is Staff asking this Council's permission to remove the Secretary from the decision-making process? Ms. Butler said yes, but only on small parcels. Ms. Heaton asked whether Council had the authority to do this.

Mr. Williams said Council did not have the authority to remove the Secretary from the decision-making process no matter how small the project.

Mr. Holden said it makes sense not to involve the Secretary in signing off on small

parcels, particularly with his workload, but the Secretary should be the one to offer direction whether he welcomes this venture. There should be some record of the change.

Mr. Vickers said concerning his Open Space projects, he has to get a signature from the Secretary before recommendation of a project to Open Space Council and then again get a signature from the Secretary after Council approves the project. The Secretary is signing papers all the time.

Mr. Williams said the role of this Council is like a second set of eyes for the Secretary and DNREC. The Department benefits from having Councils oversight.

Council asked Ms. Butler to draft language freeing the Secretary from signing off on the listing/delisting form for areas 10 acres or less than.

Mr. Holden said that when drafting the language, total land area of the natural area should be included since delisting ten acres from a 12-acre Natural Area has a significant impact on said Natural Area.

Upon further consideration and review of the updated regulations for the Natural Areas Program, Park Staff has decided NOT to seek altering the Secretary's role in the review process for listing/delisting Natural Areas.

Parks Council Meeting

Mr. Williams informed Council on Parks Council meeting activities held at Fort Miles, Cape Henlopen State Park.

- Council toured the completed upgrade on Fort Miles Bunker 519.
- Auburn Heights - an addition of a new trail for Model T steam vehicles & cyclists.
- Water Buffalo in the Brandywine Creek State Park – Freshwater Marsh Nature Preserve.
- Discussions on Rails to Trails
- Woodlawn property around Brandywine Creek State Park discussed as a national Park.

Mr. Williams again invited Council to attend future Parks Council meetings.

VIII. Public Comment and Synopsis Reports from Other Councils, Stakeholders and Partners

No public comment or reports discussed.

IX. Next Meeting and Adjournment

The next Natural Areas Advisory Council meetings will be held on December 4, 2012 at DNREC's Environmental Laboratory, Richards & Robbins Building, 89 Kings Highway, Dover, DE, starting 9:00 a.m.

Mr. Williams said new officers will be elected at the Dec. 4 meeting. Mr. Williams asked for a motion to adjourn. Meeting adjourned at 10:49 a.m.